

IN THE CIRCUIT COURT OF WASHINGTON COUNTY, MISSISSIPPI  
**Received & Filed**

RITA GRIFFITH

NOV 23 2021

PLAINTIFF

VS.

Barbara Esters Parker

By:  D.C.

CIVIL ACTION NO. 2021-0137 CT

SW GAMING, LLC

d/b/a HARLOW'S CASINO RESORT & SPA

and JOHN DOES 1-5

DEFENDANT

**COMPLAINT WITH DISCOVERY ATTACHED**

COMES NOW, the Plaintiff, Rita Griffith, by and through her attorney, and files this Complaint against the Defendant, SW Gaming, LLC, doing business as Harlow's Casino Resort & Spa (hereinafter referred to as Harlow's) and in support of this suit, Plaintiff would show the following facts:

**PARTIES**

1.

Plaintiff, Rita Griffith, is an adult resident citizen of Bolivar County, Mississippi, whose address is 712 Lee Street, Cleveland, MS 38732.

2.

Defendant, Harlow's, is a corporation that has qualified to conduct business within the State of Mississippi. This defendant is registered with the Mississippi Secretary of State's Office and has listed 4280 Harlow's Boulevard, Greenville, MS 38701 as its principle office address. This defendant has listed and identified CT Corporation System, 645 Lakeland East Drive, Suite 101, Flowood, Mississippi 39232 as its registered agent to receive service of process.

3.

Defendants, John Does 1-5, are entities and/or individuals, including but not limited to, employees, agents, contractors, owners and operators of the vehicle operated by Harlow's and/or SW Gaming, LLC, and/or any connected parties/entities related to Harlow's and/or SW Gaming, LLC or any other unknown parties who are liable to Plaintiff and who maintained authority and discretion regarding the maintenance of, control of, or standards for the security or procedures of Harlow's Casino and/or SW Gaming, LLC.

### **JURISDICTION AND VENUE**

4.

Subject matter jurisdiction is based upon the Mississippi Code Annotated and any and all other applicable statutes or Mississippi Constitutional provisions that vest authority and jurisdiction in circuit courts. The Mississippi Long-Arm statute also establishes personal jurisdiction as this action involves a tort committed against a Mississippi resident, in whole and/or in part within the confines of this State.

5.

Venue is proper in Washington County, Mississippi in that one or more of the parties resides in Washington County, Mississippi and the accident occurred in Washington County, Mississippi, pursuant to §11-11-3 of the Mississippi Code.

### **FACTS**

6.

On or about December 2, 2018, in Washington County, Mississippi, the

Plaintiff was in the restroom of Harlow's Casino when she stepped on a substance which caused her to slip and fall.

7.

As a result of this accident, Plaintiff has suffered tremendous and painful injuries to her body as a whole.

8.

Plaintiff has incurred loss of wages and tremendous medical expenses in the treatment of her injuries which were proximately caused by the subject accident as described herein.

### **NEGLIGENCE**

9.

Plaintiff hereby incorporates by reference paragraphs 1 through 8 of her Complaint.

10.

Defendant was negligent in its overall control, maintenance and general upkeep of that particular area of Harlow's Casino located on 4280 Harlow's Boulevard, Greenville, MS 38701 where Plaintiff suffered serious and resultant injuries on or about December 2, 2018.

11.

Defendant owed individual duties, under a negligence analysis, to the Plaintiff in this matter; namely, Defendant owed individual duties to control, maintain and

generally upkeep the premises in a reasonably safe manner.

12.

Defendant breached its individual duties to Plaintiff in this matter which proximately caused and/or contributed to the subject accident.

13.

As a direct and proximate result of their individual breaches, Defendant proximately caused and/or contributed to Plaintiff's permanent injuries sustained as a result of the December 2, 2018 accident on the subject Harlow's Casino.

14.

As a result, Plaintiff is entitled to recover and receive monetary damages to compensate her for her injuries sustained, to the extent she can be made whole by such monetary damages.

#### **PREMISES LIABILITY**

15.

Plaintiff hereby incorporates by reference paragraphs 1 through 14 of her Complaint.

16.

On or about December 2, 2018, Plaintiff was an "invitee" on the property of the Defendants, as she was there as a business guest, answering an express invitation to be on Defendants' property in order to gamble and dine.

17.

Defendant owed Plaintiff a duty to keep their property reasonably safe, to warn of any and all known dangers, to remedy and make safe the subject property from all such known defects, and to also conduct reasonable inspections on the subject property.

18.

Defendant breached its individual duties to Plaintiff in this matter.

19.

As a direct and proximate result of their individual breaches, Defendant proximately caused and/or contributed to Plaintiff's injuries sustained as a result of the December 2, 2018 accident at Harlow's Casino.

20.

As a result, Plaintiff is entitled to recover and receive monetary damages to compensate her for the injuries sustained, to the extent she can be made whole by such damages.

### **DAMAGES**

21.

Plaintiff hereby incorporates by reference paragraphs 1 through 20 of her Complaint.

22.

Plaintiff's request for damages also includes claims for: a) conscious pain and suffering; b) hedonic damages; c) loss of enjoyment of life; d) loss of wages; e) partial

disfigurement; f) past, present, and future medical expenses; and g) others to be explored at the trial of this matter.

**RELIEF DEMANDED**

**WHEREFORE, PREMISES CONSIDERED,** Plaintiff demands a judgment of and from Defendant as follows:

- (a) Actual and compensatory damages;
- (b) Pre-judgment and post-judgment interest, and all costs accrued in this action; and
- (c) Any other relief which the Court or jury deems just and appropriate.

RESPECTFULLY SUBMITTED,

RITA GRIFFITH

BY:



TAUREAN BUCHANAN

OF COUNSEL:

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November 22, 2021

Barbara Esters-Parker Washington  
County Circuit Clerk  
P.O. Box 1276  
Greenville, MS 38702

Re: Griffith v. SW Gaming, LLC

Dear Barbara Esters-Parker Washington:

I have attached a Civil Cover Sheet along with a complaint, summons, and filing for my client Rita Griffith. Please file in your ordinary fashion and return the issued subpoenas to me in the attached pre-stamped envelope. If you have any questions or concerns please let me know. Thank you.

Sincerely,

Taurean Buchanan